



State of New Jersey
DIVISION OF RATE COUNSEL
140 EAST FRONT STREET, 4TH FL
P.O. Box 003
TRENTON, NEW JERSEY 08625

PHIL MURPHY
Governor

SHEILA OLIVER
Lt. Governor

STEFANIE A. BRAND
Director

May 11, 2018

VIA HAND DELIVERY AND ELECTRONIC MAIL

Hon. Upendra Chivukula, Commissioner
New Jersey Board of Public Utilities
44 South Clinton Avenue, 3rd Floor, Suite 314
P.O. Box 350
Trenton, NJ 08625-0350

**Re: In the Matter of the Petition of Atlantic City Electric Company for
Approval of a Voluntary Program for Plug-In Vehicle Charging
BPU Docket No. EO18020190**

Dear Commissioner Chivukula:

Please accept this letter in response to the April 27, 2018 e-mail correspondence from Legal Specialist Andrea Hart, Esq. As explained more fully below, Rate Counsel still believes that setting a procedural schedule while its motion to stay is pending is inappropriate. Nonetheless, in order to preserve Rate Counsel's rights, Rate Counsel submits a tentative¹ schedule for the above referenced matter.

As the Board is aware, Rate Counsel filed a motion to stay this proceeding on April 6, 2018. After the Board's April agenda meeting passed with no action on Rate Counsel's motion,

¹ This schedule assumes the Board will issue a report analyzing the current stakeholder process and providing guidance for the EV community by its June 20, 2018 agenda. If the Board does not do so, then the starting date of this schedule should move to after the Monday following the Board agenda meeting where the Board does so act.

Legal Specialist Andrea Hart, Esq. issued an e-mail requesting that the parties submit proposed schedules, which were to commence after Monday, June 25th, the Monday after the Board's June Agenda meeting. On May 4, 2018, Rate Counsel submitted a letter to the Board stating that it was inappropriate to set a procedural schedule while a motion to stay is pending. Rate Counsel received no response to that correspondence. Rate Counsel maintains that the Board should complete the EV stakeholder process and provide guidance to all parties as to how to proceed before this matter moves forward. There simply is no urgency to deal with this matter at this time. To the extent EV implementation moves forward in New Jersey, there are ample private, unregulated entities to meet those needs.

The following schedule is based upon the assumption that the Board will take action regarding the EV stakeholder process by its June 20, 2018 Agenda meeting. If the Board does not, then this schedule must be revisited. Likewise, the schedule assumes timely answers to discovery. If discovery deadlines are not met, the schedule would again need to be revisited.


ACE Direct Testimony	June 29
First Round discovery	July 13
Responses to first round discovery	July 27
Second Round discovery	August 10
Responses to second round discovery	August 24
Third round discovery	September 7
Responses to third round discovery	September 21
Rate Counsel/Intervenor Testimony	October 19
Discovery on testimony	November 2
Responses to discovery	November 16
Rebuttal testimony	December 7
Discovery on rebuttal	December 21
Responses to discovery	January 11
Evidentiary hearings	Week of February 4

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Rate Counsel continues to believe that proceeding with this matter, before the Board decides the direction for EVs based on the EV stakeholder process, risks wasting agency resources and conflicting approaches to developing EV infrastructure in New Jersey. Despite these inherent uncertainties, and while reserving all of Rate Counsel's rights, Rate Counsel submits the above tentative schedule in response to the request of Board Staff.

Respectfully submitted,

STEFANIE A. BRAND
DIRECTOR, DIVISION OF RATE COUNSEL

By: 
Kurt S. Lewandowski, Esq.
Assistant Deputy Rate Counsel

c: Service List (via electronic and regular mail)

**In the Matter of the Petition of
Atlantic City Electric Company
for Approval of a Voluntary
Program for Plug-In Vehicle
Charging
BPU Docket No. EO18020190**

Honorable Upendra J. Chivukula
Commissioner
NJ Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
P.O. Box 350
Trenton, NJ 08625-0350

Aida Camacho-Welch, Secretary
NJ Board of Public Utilities
44 South Clinton Avenue,
3rd Floor, Suite 314
P.O. Box 350
Trenton, NJ 08625-0350

Stefanie A. Brand, Esq., Director
Division of the Rate Counsel
140 East Front Street, 4th Fl.
P.O. Box 003
Trenton, NJ 08625

Felicia Thomas-Friel, Esq.
Division of Rate Counsel
140 East Front Street, 4th Fl.
P.O. Box 003
Trenton, NJ 08625

Kurt S. Lewandowski, Esq.
Division of Rate Counsel
140 East Front Street, 4th Fl.
P.O. Box 003
Trenton, NJ 08625

Brian O. Lipman, Esq.
Litigation Manager
Division of Rate Counsel
140 East Front Street, 4th Fl.
P.O. Box 003
Trenton, NJ 08625

Ami Morita, Esq.
Division of Rate Counsel
140 East Front Street, 4th Fl.
P.O. Box 003
Trenton, NJ 08625

Caroline Vachier, DAG
Division of Law & Public Safety
124 Halsey Street- 5th Floor
P.O. Box 45029
Newark, NJ 07101

Brian Weeks, Esq.
Division of Rate Counsel
140 East Front Street, 4th Fl.
P.O. Box 003
Trenton, NJ 08625

Alex Moreau, DAG
Division of Law & Public Safety
124 Halsey Street- 5th Floor
P.O. Box 45029
Newark, NJ 07101

Noreen M. Giblin, Esq.
Chief Counsel
NJ Board of Public Utilities
44 South Clinton Avenue, Suite 314
P.O. Box 350
Trenton, NJ 08625

Geoffrey Gersten, DAG
Division of Law & Public Safety
124 Halsey Street- 5th Floor
P.O. Box 45029
Newark, NJ 07101

Veronica Beke, DAG
Division of Law & Public Safety
124 Halsey Street- 5th Floor
P.O. Box 45029
Newark, NJ 07101

Sherri Jones
NJ Board of Public Utilities
44 South Clinton Avenue, Suite 314
P.O. Box 350
Trenton, NJ 08625-0350

Grace Strom Power
Chief of Staff
NJ Board of Public Utilities
44 South Clinton Avenue, Suite 314
P.O. Box 350
Trenton, NJ 08625-0350

Paul Flanagan, Executive Director
NJ Board of Public Utilities
44 South Clinton Avenue, Suite 314
P.O. Box 350
Trenton, NJ 08625-0350

Stacy Peterson, Executive Director
NJ Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
P.O. Box 350
Trenton, NJ 08625-0350

Bethany Rocque-Romaine, Esq.
NJ Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
P.O. Box 350
Trenton, NJ 08625

Michael Hornsby
NJ Board of Public Utilities
44 South Clinton Avenue, Suite 314
P.O. Box 350
Trenton, NJ 08625-0350

Michael Winka
NJ Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
P.O. Box 350
Trenton, NJ 08625

Jackie O'Grady
NJ Board of Public Utilities
44 South Clinton Avenue
3rd Floor, Suite 314
P.O. Box 350
Trenton, NJ 08625-0350

Clark M. Stalker, Esq.
Atlantic City Electric Company
92DC42
500 N. Wakefield Drive,
P.O. Box 6066
Newark, DE 19714-6066

Philip J. Passanante, Esq.
Atlantic City Electric
92DC42
500 N. Wakefield Drive
P.O. Box 6066
Newark, DE 19714-6066

Roger E. Pedersen, Manager
New Jersey, Regulatory Affairs
63ML38
Atlantic City Electric Company
5100 Harding Highway
Mays Landing, NJ 08330

Lauren M. Lepkoski, Esq.
FirstEnergy Service Company
Legal Department
2800 Pottsville Pike
Reading, PA 19612-6001

Robert S. Stewart
Manager, Smart/Grid/Technology
Pepco Holdings LLC – EP8022
701 Ninth Street, NW
Washington, DC 20068-0001

Peter R. Blazunas
Pepco Holdings LLC – EP9020
701 Ninth Street, NW
Washington, DC 20068-0001

Justin B. Incardone, Esq.
Associate General Regulatory Counsel
PSEG Services Corporation
80 Park Plaza, T5G
Newark, NJ 07102-4194

Joseph F. Janocha
Pepco Holdings LLC – 92DC56
500 N. Wakefield Drive
P.O. Box 6066
Newark, DE 19714-6066

Michele Falcao
PSE&G Services Corporation
80 Park Plaza – T5
P.O. Box 570
Newark, NJ 07102

Murray E. Bevan, Esq.
Bevan, Mosca & Giuditta, P.C.
222 Mount Airy Road, Suite 200
Basking Ridge, NJ 07920-2335

Bernard Smalls
PSE&G Services Corporation
80 Park Plaza – T5
P.O. Box 570
Newark, NJ 07102

Kenneth Sheehan, Esq.
NJ Board of Public Utilities
44 South Clinton Avenue
Suite 314
P.O. Box 350
Trenton, NJ 08625-0350

Colleen A. Foley, Esq.
Saul Ewing, LLP
One Riverfront Plaza
Suite 1520
Newark, NJ 07102

Aaron Kleinbaum, Esq.
Raghu Murthy
Eastern Environmental Law Center
50 Park Place, Suite 1025
Newark, NJ 07102

Courtney L. Schultz, Esq.
Saul Ewing LLP
Centre Square West, 38 Floor
1500 Market Street
Philadelphia, PA 19102

Andrea Hart, Esq.
NJ Board of Public Utilities
44 South Clinton Avenue, Suite 314
P.O. Box 350
Trenton, NJ 08625-0350